

S.B. CIVIL WRIT PETITION NO.818/2002
Ravinder Kumar Saluja vs. State of Raj. and others.

Date : 10.1.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. J.L. Purohit, for the petitioner.

Mr. Shyam Ladreacha, for the respondent State

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Heard learned counsel for parties.

The petitioner's grievance in this writ petition was that the petitioner lodged a complaint in the Court of Additional Chief Judicial Magistrate, Anoopgarh, who sent the matter to the concerned police station under Section 156(3) Cr.P.C. vide order dated 24.1.2001 and after investigation, the investigating officer found that O.P. Godara etc. committed offences under Sections 147, 149, 109, 365, 342, 323 and 504 I.P.C. The relevant papers were submitted to the D.I.G., Police who forwarded the papers to the Inspector General of Police (Vigilance) for sanction to file challan but the Inspector General of Police instead of directing filing of challan directed re-investigation and appointed respondent no.3 Samay Deen Circle Inspector, C.I.D. (CB), Jaipur to re-investigate the matter. According to the petitioner, it was done due to political pressure, therefore, in view of the above facts, the petitioner sought a

direction that the respondent no.3 may be restrained from investigating the matter on the basis of the order passed by the Inspector General Police dated 8.2.2002. The petitioner further sought direction against the respondents to file challan in proper court.

The respondents submitted their reply and made it clear that the matter was handed over to Shri P.P. Tak, Addl. Superintendent of Police, C.I.D. (CB) Range, Ajmer who conducted investigation and found that the petitioner in order to create defence against the allegation of theft of record etc., filed false complaint. The respondents denied the allegation of purpose behind investigation to prolong the matter.

Learned Government Advocate appearing for respondents submitted that after re-investigation, Final Report has been submitted in the Court. Therefore, the petitioner had remedy to submit the protest petition, if the petitioner was aggrieved against the final report.

In view of the above, nothing survives in this writ petition. Accordingly, this writ petition is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya